

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

XXXXXX, a minor, by his Parents and Next)	
Friends, Jeffrey and Sharon Smith,)	
)	
Plaintiffs,)	
)	
v.)	1:20-cv-00817-LMB-TCB
)	
ARLINGTON COUNTY SCHOOL)	
BOARD,)	
)	
Defendant.)	

**DEFENDANT ARLINGTON COUNTY SCHOOL BOARD'S
MOTION FOR JUDGMENT ON THE ADMINISTRATIVE RECORD AND
COUNTERCLAIM**

Defendant Arlington County School Board, by counsel, moves this Court for judgment on the administrative record and to uphold the administrative Hearing Officer's April 20, 2020 decision as to No. 1, 2, and 3, pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 *et seq.*, based on the administrative record before the Court.

Defendant further moves this Court for judgment on the administrative record and Defendant's Counterclaim to reverse the administrative Hearing Officer's April 20, 2020 decision as to No. 4 ordering reasonable reimbursement for the cost of Plaintiffs' private evaluation, pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 *et seq.*, based on the administrative record before the Court.

The grounds for this Motion are fully set forth in Defendant's Brief in Support of Motion for Judgment on the Administrative Record and Counterclaim, filed herewith and incorporated herein by reference.

Date: March 19, 2021

Respectfully Submitted,

ARLINGTON COUNTY SCHOOL BOARD

By Counsel

By: _____/S/_____

John F. Cafferky, Esq. (VSB No. 26179)

jcafferky@bklawva.com

Emily K. Haslebacher, Esq. (VSB No. 92281)

ehaslebacher@bklawva.com

BLANKINGSHIP & KEITH, P.C.

4020 University Drive, Suite 300

Fairfax, Virginia 22030

(703) 691-1235 (Telephone)

(703) 691-3913 (Facsimile)

Counsel for Defendant

Arlington County School Board

Certificate of Service

I hereby certify that on this 19th day of March, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

James P. Atkinson, Esq. (VSB No. 92001)
Law Office of Grace E. Kim, P.C.
11325 Random Hills Road, Suite 360-110
Fairfax, Virginia 22030
703-225-3395 (telephone)
703-225-3333 (facsimile)
ja@gekimlaw.com
Counsel for Plaintiffs

_____/S/_____
John F. Cafferky, Esq. (VSB No. 26179)
jcafferky@bklawva.com
Emily K. Haslebacher, Esq. (VSB No. 92281)
ehaslebacher@bklawva.com
BLANKINGSHIP & KEITH, P.C.
4020 University Drive, Suite 300
Fairfax, Virginia 22030
(703) 691-1235 (Telephone)
(703) 691-3913 (Facsimile)

Counsel for Defendant
Arlington County School Board